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Attorneys for Defendant UNITED  
HEALTHCARE INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

DAVID BAIN, DAYNA BAIN and ALAINA  
BAIN, individuals, ,

Plaintiffs,

vs.

UNITED HEALTHCARE INC. in its capacity  
as insurer, administrator, and fiduciary of the  
Sagent Advisors Inc. Group Health Plan, and  
SAGENT ADVISORS INC. GROUP  
HEALTH PLAN, an ERISA-regulated welfare  
plan,

Defendants.

CASE NO. 3:15-cv-03305-EMC

**SECOND STIPULATION AND  
[PROPOSED] ORDER FOR  
ADDITIONAL TIME TO FILE JOINT  
DISCOVERY PLAN**

Trial Date: None Set

The parties do hereby stipulate and request as follows:

On October 17, 2016, the Court granted the parties' stipulation for additional time to meet and confer regarding discovery and submit a joint discovery plan. (See Dkt. Entry 54.) The parties met and conferred during in the intervening two weeks regarding Plaintiffs' proposed discovery requests, and exchanged proposals for resolving their discovery disputes, and those discussions are continuing

The parties are presently finalizing the joint letter prescribed by the Court in its September 23, 2016, minute order. (Dkt. Entry 52). However, the parties regrettably will not be able to finalize the letter for filing on October 27, 2016.

4829-8004-7163.2

4:15-cv-03305-KAW

SECOND STIPULATION AND [PROPOSED] ORDER FOR ADDITIONAL TIME TO FILE JOINT DISCOVERY  
PLAN

The parties therefore agree that additional time is required in order to finalize their determinations regarding what of the above-referenced discovery the parties can agree upon, and what disputes they believe they will need the Court to resolve.

Therefore, the parties through their respective counsel do hereby stipulate and request that the Court allow the parties one additional week to finalize their discussions, and order the parties to file the joint discovery letter contemplated by the Court's September 23, 2016 Order (Dkt. Entry 52) on or before November 3, 2016.

Respectfully submitted.

DATED: October 27, 2016

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Timothy J. Nally

Greg L. Johnson  
Timothy J. Nally  
Attorneys for Defendant UNITED  
HEALTHCARE INC.

DATED: October 27, 2016

PHILIPS, ERLEWINE, GIVEN & CARLIN LLP  
CREITZ & SEREBIN LLP

By: /s/ Joseph Creitz

Joseph Creitz  
Co-Counsel for Plaintiffs DAVID BAIN, DAYNA  
BAIN and ALAINA BAIN

### ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: October 27, 2016

/s/ Timothy J. Nally  
Greg L. Johnson  
Timothy J. Nally  
Attorneys for Defendant

**ORDER UPON STIPULATION**

Pursuant to the stipulation of the parties and good cause appearing, the court hereby orders that the parties shall file the joint discovery letter contemplated by Dkt. Entry 52 on or before November 3, 2016.

It is so ORDERD.

DATED: 10/28/2016

